IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6080 OF 2006

Rajmal M.Jhaveri & Ors. .. Petitioners.
Vs.
Mr.R.Jaikishan & Co. & Ors. .. Respondents.

Mr.A.Y.Sakhare i/b Mr.V.P.Sawant for the petitioners.
Mr.M.B.Jadhav a/w Mr.R.S.Jadhav for respondent no.1.

CORAM : D.B.BHOSALE, J.

DATED : 13TH SEPTEMBER, 2006

P.C.:

. Heard Mr.Sakhare, learned senior counsel for the petitioners and Mr.Jadhav, learned counsel for respondent no.1.

2. Mr.Sakhare, learned senior counsel seeks leave to delete respondent nos.2 to 5. Leave is granted. The amendment to be carried out during the course of day.

3. Rule, returnable forthwith. By consent of the parties taken up for final hearing. Mr.Jadhav, learned counsel waives service for respondent no.1.

4. The learned counsel for the parties have fairly stated that the reasons need not be recorded for disposing of this petition and they have agreed

for the following order:

(a) The order dated 4th September, 2006 passed on revision application nos.20/2006 and 21/2006 is quashed and set aside.

(b) The Co-operative Court shall decide the dispute No.CC-II/537/1870/73 as expeditiously as possible and preferrably within a period of four months from the date of receipt of this order, on merits in accordance with law and without being influenced by the order impugned in the present writ petition.

(c) It is made clear that I shall not be understood to have set aside the order impugned in the present writ petition on merits. The trial Court shall decide the dispute and all the issues/questions involved therein on merits and without being influenced by this order.

. Rule is, accordingly, disposed of in the aforesaid terms.

(D.B.Bhosale, J.)